IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

INCOME TAX APPEAL NO.337 OF 2001

The Commissioner of Income Tax)
Mumbai City-VII, Mumbai)..Appellant

Versus

M/s.Samir Diamonds, 9/10 Prasad)
Chambers, Opera House, Mumbai400 004)..Respondents

Mr.P.S.Sahadevan for the appellant.

Ms.V.B.Patel for respondents.

Coram : F.I.Rebello &
R.S.Mohite,JJ

Date : 18.12.2007.

PC

1. Revenue points out that income tax application was pending. On behalf of assessee, learned Counsel draws our attention to the order passed in Income Tax Application No.429 of 1999 on 4.7.2005. In view of the order passed in I.T.A.No.9467/B/91 in **The Commissioner of Income Tax-II V. Samir Diamonds** on 22.7.2004, income tax application was dismissed.

2. On behalf of the revenue learned Counsel fairly concedes that question of law as framed considering dismissal of application would not arise. Considering the above, in our opinion, the question of law as framed would not arise and consequently, appeal dismissed.

(R.S.Mohite,J) (F.I.Rebello,J)